

OFFICIAL JOURNAL  
OF THE  
**SENATE**  
OF THE  
STATE OF LOUISIANA

**TWENTIETH DAY'S PROCEEDINGS**

**Thirtieth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 5, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon.  
Donald E. Hines, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their  
names:

**PRESENT**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullio

**ABSENT**

Total—0

The President of the Senate announced there were 39 Senators  
present and a quorum.

**Prayer**

The prayer was offered by Rev. Mary Moody, following which  
the Senate joined in pledging allegiance to the flag of the United States  
of America.

**Reading of the Journal**

On motion of Senator Bajoie, the reading of the Journal was  
dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the**

**Legislative Bureau**

May 5, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following  
report:

The following bills are approved as to construction and  
duplication. We advise and suggest the following amendments to the  
engrossed bills.

**HOUSE BILL NO. 389 (Duplicate of Senate Bill No. 358)—**  
BY REPRESENTATIVE MURRAY AND SENATOR BAJOE AND  
COAUTHORED BY MARCHAND  
AN ACT

To amend and reenact R.S. 19:136, 136.1(1), (3), and (4)(d),  
136.2(B), 136.3(2) and (3)(a), 136.6 through 136.8, 136.9(B),  
and 136.11, to enact R.S. 19:136.12, and to repeal R.S.  
19:136.1(4)(e) and 136.10, relative to the expropriation of  
blighted or abandoned property by the city of New Orleans; to  
provide for the applicability to redemptive periods; to provide  
relative to the definition of "abandoned property"; to provide  
for notice to the owner; to provide for substantial rehabilitation  
and the payment of taxes and liens; to provide for the contents  
and notice of the petition for expropriation; to provide relative  
to the answer and opposition to the petition and for the waiver  
of defenses; to provide for the cancellation of inscriptions; to  
provide for the sale or transfer of expropriated property to third  
persons; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 390—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 19:132, 132.1(A), and 132.8, relative to  
expropriations by the city of New Orleans; to provide for the  
expropriation of property needed for a street, drainage, water,  
utility, sewerage, or other capital project prior to judgment in  
the trial court fixing the amount of compensation due to the  
owner of the property; to provide for the application of existing  
expropriation laws; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 478—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 3:4602(1) and (13), 4623(A), 4671, and  
4684, to enact R.S. 3:4602(1.1), (12.2), (13.1), and (14.1), and  
to repeal R.S. 3:4672(G), 4674, 4676, 4677, 4687, and 4688,  
relative to the regulation of devices for weighing and measuring  
petroleum products; to exempt petroleum for specified uses  
from certain fees; to provide relative to penalties for violations  
of petroleum weights and measures regulations; to repeal  
regulations applicable to gasoline blended with ethanol or  
methanol; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 501—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 51:1306(introductory paragraph), relative to the Tax Free Shopping Program; to eliminate the requirement that an international visitor show a foreign passport to a retailer at the time of purchase; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 506—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:301(13)(d), relative to the sales and use tax; to change the source of price data used to determine the sales price of refinery gas; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 696—**

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS  
HEITMEIER AND HINES  
AN ACT

To enact R.S. 39:71(D), relative to budget allotments; to provide for cash advances or seeds to state agencies; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 696 by Representative Alario

**AMENDMENT NO. 1**

In Senate Floor Amendment No. 2 proposed and adopted by the Senate on May 4, 2004, on line 7, after "treasurer" change "." to "," and after "Louisiana" change "." to ","

**AMENDMENT NO. 2**

On page On page 1, line 9, following "seed" and before "may" delete ","

**HOUSE BILL NO. 898—**

BY REPRESENTATIVES HAMMETT, ARNOLD, DOWNS,  
FAUCHEUX, HILL, KENNEY, MONTGOMERY, ODINET,  
RICHMOND, AND JANE SMITH  
AN ACT

To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to individual income tax; to provide the authority to waive the estimated income tax penalty in certain situations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1123—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1578(B)(3) and to enact R.S. 47:1578(C), (D), and (E), relative to the Department of Revenue; to provide for the release of any part of property subject to a recorded lien, privilege, mortgage, or other

encumbrance when the state of Louisiana's interest in the part to be released has no value; to provide for the fees and costs associated with the cancellation or release of a lien, privilege, mortgage, or other encumbrance; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1341—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

May 5, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 487—**

BY REPRESENTATIVES T. POWELL, SCALISE, AND SCHNEIDER  
AN ACT

To enact R.S. 17:3048.1(X), to establish an additional means for certain students to qualify for a Tuition Opportunity Program for Students Opportunity, Performance, and Honors awards; to provide relative to award eligibility, applicability, limitations, effectiveness, and payment amounts; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 640—**

BY REPRESENTATIVES M. GUILLORY, MARTINY, RICHMOND,  
BADON AND BROOME  
AN ACT

To enact R.S. 14:106.3, relative to offenses affecting the general peace and order; to create the crime of unlawful exhibition of sexually explicit material in a motor vehicle; to provide for

penalties; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 700—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1378(B), relative to the Second Injury Fund; to provide for clarification of the prescriptive period for filing notice; and to provide for related matters.

**HOUSE BILL NO. 936—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:106(C)(introductory paragraph), relative to the Louisiana Assessors' Retirement Fund; to provide for the use of excess funds when the board of trustees increases the net direct employer contribution rate; to provide for a retroactive effective date; and to provide for related matters.

**HOUSE BILL NO. 1096—**

BY REPRESENTATIVES TOOMY AND DOVE  
AN ACT

To amend and reenact R.S. 33:1981(A) and to enact R.S. 33:1981(C)(3), relative to benefits payable to firemen killed in the line of duty; to provide for firefighting activities included within the scope and performance of official duties as a fireman; and to provide for related matters.

**HOUSE BILL NO. 1134—**

BY REPRESENTATIVES JACKSON AND THOMPSON  
AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish to designate sales tax areas; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1329—**

BY REPRESENTATIVES THOMPSON AND HAMMETT  
AN ACT

To enact Subpart F-1 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.71 through 140.79, relative to railroads; to authorize two or more parishes to create a railroad development district; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 487—**

BY REPRESENTATIVES T. POWELL, SCALISE, AND SCHNEIDER  
AN ACT

To enact R.S. 17:3048.1(X), to establish an additional means for certain students to qualify for a Tuition Opportunity Program for Students Opportunity, Performance, and Honors awards; to provide relative to award eligibility, applicability, limitations, effectiveness, and payment amounts; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 640—**

BY REPRESENTATIVES M. GUILLORY, MARTINY, RICHMOND,  
BADON AND BROOME  
AN ACT

To enact R.S. 14:106.3, relative to offenses affecting the general peace and order; to create the crime of unlawful exhibition of sexually explicit material in a motor vehicle; to provide for penalties; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 700—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1378(B), relative to the Second Injury Fund; to provide for clarification of the prescriptive period for filing notice; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 936—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:106(C)(introductory paragraph), relative to the Louisiana Assessors' Retirement Fund; to provide for the use of excess funds when the board of trustees increases the net direct employer contribution rate; to provide for a retroactive effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1096—**

BY REPRESENTATIVES TOOMY AND DOVE  
AN ACT

To amend and reenact R.S. 33:1981(A) and to enact R.S. 33:1981(C)(3), relative to benefits payable to firemen killed in the line of duty; to provide for firefighting activities included within the scope and performance of official duties as a fireman; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1134—**

BY REPRESENTATIVES JACKSON AND THOMPSON  
AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish

to designate sales tax areas; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1329—**

BY REPRESENTATIVES THOMPSON AND HAMMETT  
AN ACT

To enact Subpart F-1 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.71 through 140.79, relative to railroads; to authorize two or more parishes to create a railroad development district; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions  
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

**HOUSE BILL NO. 27—**

BY REPRESENTATIVE E. GUILLORY  
AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate gumbo as the official state cuisine; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 32—**

BY REPRESENTATIVES MARTINY, BALDONE, AND BRUNEAU  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide for applicability; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 59—**

BY REPRESENTATIVE BRUCE  
AN ACT

To enact R.S. 25:215(B)(13), relative to the DeSoto Parish Library; to transfer the administration of and accounting functions for funds of the library from the DeSoto Parish Police Jury to the DeSoto Parish Library Board of Control; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 66—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans; to provide for the housing of the Juvenile Court in the new courthouse or at a separate facility; to delete the prohibition

against raising additional fees and the requirement that additional funds be derived from other noncourt cost-related sources for the costs and planning of the new courthouse; to provide that the Joint Legislative Committee on the Budget shall review, rather than approve, the plans and costs of the new courthouse; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 68—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 33:1448(N), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of Plaquemines Parish to pay certain premium costs of specified group insurance for certain retired officials and employees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 102—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 33:1448.1, relative to the payment of group insurance premiums for retired sheriffs and deputy sheriffs in Bossier Parish; to create a permanent fund; to require the depositing of certain monies into the fund; to provide for investment of monies in the fund; to authorize the withdrawal of earnings; to provide for limitations on appropriations from the fund; to provide for audits of the fund; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 176—**

BY REPRESENTATIVE KENNEY  
AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the village of Baskin to levy and collect an additional sales and use tax; to provide for voter approval; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 181—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(O), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and deputy sheriffs in St. Charles Parish; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 193—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 38:2238.2(A)(2)(a), relative to procurement of used fire and emergency response vehicles and equipment by local political subdivisions; to provide with respect to the public notice of the request for proposals; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 207—**

BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (J), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Oakdale; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 212—**

BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 33:2561.1, relative to fire and police civil service; to provide with respect to small municipalities, parishes, and fire protection districts; to authorize the fire and police civil service board to award attorney fees to an appealing employee under certain circumstances; to provide for a maximum award; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 271—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 33:4569.3(11), relative to the Iberville Parks and Recreation District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 335—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Sulphur; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 395—**

BY REPRESENTATIVES ALARIO, ANSARDI, BOWLER, DAMICO, MARTINY, SHEPHERD, TOOMY, TUCKER, AND WOOTON AND SENATORS BOISSIERE, HAINKEL, HOLLIS, LENTINI, AND ULLO  
AN ACT

To authorize and provide for the exchange and transfer of certain state property situated in Jefferson Parish between the Department of Culture, Recreation and Tourism and the Jefferson Parish Council; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 445—**

BY REPRESENTATIVES ODINET AND HUTTER  
AN ACT

To amend and reenact Code of Criminal Procedure Article 202(B)(2) and R.S. 15:574.15(A)(2)(introductory paragraph), relative to the authority of a justice of the peace to issue a warrant for the arrest of a teacher; to require an independent investigation and findings in support of the warrant; to authorize a district court judge exercising criminal jurisdiction to parole persons arrested for certain municipal ordinance violations in a municipality having a population of more than four hundred fifty thousand inhabitants according to the census of the United States for 1980 or any subsequent year; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 508—**

BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the jurisdictional amount in controversy for the City Court of Shreveport; to increase the jurisdictional amount; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 610—**

BY REPRESENTATIVES DANIEL, KATZ, AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 33:4169(A)(1) and (B)(1), relative to water and sewerage collection; to require certain provisions in agreements between water and sewerage service providers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 756—**

BY REPRESENTATIVE KENNEY  
AN ACT

To enact R.S. 25:215(B)(13), relative to the Caldwell Parish Library; to transfer the administration of and accounting functions for funds of the library from the Caldwell Parish Police Jury to the Caldwell Parish Library Board of Control; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 833—**

BY REPRESENTATIVE HUNTER  
AN ACT

To repeal R.S. 23:1601(10)(b), relative to unemployment compensation; to remove the provision which requires a fifty percent discount in unemployment benefits after an individual requalifies for benefits subsequent to a disqualification for the use of illegal drugs.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 935—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 11:267(A)(4), relative to the Louisiana Assessors' Retirement Fund; to provide for investing of funds in equity and for an indexing strategy; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 949—**

BY REPRESENTATIVE FANNIN  
AN ACT

To amend and reenact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System; to allow certain persons to opt out of otherwise mandatory participation; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 952—**

BY REPRESENTATIVE FRITH  
AN ACT

To amend and reenact R.S. 46:1053(K)(2), relative to Hospital Service District No. 1 of the parish of Vermilion; to increase the maximum per diem authorized to be paid to members of the board of commissioners of the district; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 962—**

BY REPRESENTATIVE E. GUILLORY  
AN ACT

To amend and reenact R.S. 33:130.551(A) and (B) and 130.552(A)(1) and (2), relative to the North Lake Charles Economic Development District; to change the name of the district; to provide for the membership of the board; to provide for termination of existing board terms; to establish initial terms for new board members; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 967—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To enact R.S. 33:9038.25, relative to the city of Lake Charles; to authorize the governing authority of the city to create a special taxing district; to provide relative to the purpose and boundaries of the district; to provide relative to the governance, powers, and duties of the district; to provide relative to taxes authorized to be levied by the district; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 968—**

BY REPRESENTATIVE FANNIN  
AN ACT

To enact Chapter 25-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1215.1 through 1215.6, relative to museum boards; to authorize the governing authority of the parish of Jackson to create a museum board; to provide relative to the purpose, membership, and powers of the board; to provide relative to board funding; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 971—**

BY REPRESENTATIVE BRUCE  
AN ACT

To enact R.S. 13:756.12, relative to establishing a branch office of the clerk of court in DeSoto Parish; to authorize the clerk of court of the parish of DeSoto to establish a branch office in Stonewall; to provide for duties and functions of the branch office; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 983—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1455(B), relative to the Louisiana Assessors' Retirement Fund; to provide for a lump sum repayment of withdrawn employee contributions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 994—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 14:222.1, relative to the crime of unauthorized interception, interference with, or retransmission of services offered over a cable television system; to provide for definitions; to provide for penalties for violations; to provide relative to disposition of equipment; to provide for an effective date; to provide for elements of the crime; to provide for exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1037—**

BY REPRESENTATIVE HUNTER

**AN ACT**

To amend and reenact R.S. 23:1127(C)(1), 1226(B)(3)(c) and (E), 1310.3(B)(1) and (C), 1310.4(B), 1316.1(C), and 1317(B), relative to workers' compensation hearings procedures; to provide for a reduction in weekly compensation; to provide for mediation procedures; to provide for service of process; to provide for venue; to provide for default judgments; to provide for expert witness fees; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 1112—**

BY REPRESENTATIVE PINAC

**AN ACT**

To enact Part XIII-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5071 through 5077, relative to the Master Settlement Agreement; to provide for complementary procedures; to provide for definitions; to require certification; to provide for a directory of tobacco product manufacturers; to provide for an agent for service of process; to require reporting; to provide for the disclosure of information; to provide for escrow funds; to provide for penalties; to authorize the promulgation of rules; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 1160—**

BY REPRESENTATIVE ALARIO

**AN ACT**

To enact R.S. 33:423.14 and 2569, relative to the police department in certain municipalities; to provide that the position of assistant police chief shall be in the unclassified service; to provide for the appointment and duties of such person; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1200—**

BY REPRESENTATIVES LAFLEUR, THOMPSON, AND CAZAYOUX AND SENATORS HAINKEL AND HOLDEN

**AN ACT**

To amend and reenact R.S. 39:81 and to enact R.S. 11:176, relative to state and statewide public retirement systems; to require each such retirement system to submit its operating budget to the Joint Legislative Committee on the Budget; to provide for review and approval of state system budgets and review of statewide system budgets; to provide for contents; to provide for modifications; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1265—**

BY REPRESENTATIVES THOMPSON, PINAC, BRUCE, DOERGE, FRITH, MARCHAND, RITCHIE, SCALISE, SHEPHERD, GARY SMITH, TRAHAN, WADDELL, WALSWORTH, AND WHITE AND SENATORS ELLINGTON AND SMITH

**AN ACT**

To amend and reenact R.S. 36:4(L) and to enact Part IV of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:955.1 through 955.4, relative to economic development; to create the Louisiana Broadband Advisory Council; to provide that such council shall be in the Governor's Office of Rural Development; to provide for definitions; to provide for the membership, terms, and vacancies of the council; to provide for the duties of the council; to provide for assistance from other entities; to provide for staff, consultants, and the utilization of monies; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

**HOUSE BILL NO. 1354—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 32:773.1(A)(2)(o), 773.2(B) and (F)(1), and 775(A)(7)(introductory paragraph), (8), and (9) and (B) and to enact R.S. 32:775(A)(10), relative to used motor vehicle dealers and marine dealers; to provide relative to certain area of responsibility provisions; to provide for certain penalties for marine dealers; to provide for the commencement period for certain penalties; to provide relative to licensing procedures; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1356—**

BY REPRESENTATIVE SHEPHERD

**AN ACT**

To enact R.S. 23:1205(C), relative to workers' compensation; to require health care benefits providers to pay medical expenses under certain circumstances; to provide for penalties and attorney fees; to provide for the recovery of paid medical expenses; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 1409—**

BY REPRESENTATIVES MONTGOMERY, BADON, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BURRELL, DAMICO, DOERGE, DORSEY, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, HEATON, HEBERT, HOPKINS, JACKSON, JEFFERSON, KENNEY, LABRUZZO, MARCHAND, McDONALD, MURRAY, PIERRE, PITRE, T. POWELL, QUEZAIRE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, JANE SMITH, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, AND WINSTON

**AN ACT**

To repeal R.S. 3:3801(A)(5) and (B)(2), 3804(A)(2), 3807(B)(2), and 3808(B), relative to retail florists; to repeal the licensure requirements for retail florists.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

**HOUSE BILL NO. 1419—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 1430—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 37:1483 and to enact R.S. 9:5608, relative to home inspectors; to provide a prescriptive period for actions against home inspectors; to provide for applicability of provisions; to provide for exceptions; to exempt certain persons from licensure requirements under the Louisiana Home Inspector Licensing Law; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 1431—**

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 1438—**

BY REPRESENTATIVE MURRAY

AN ACT

To repeal R.S. 23:1021(12) and 1225(D), relative to workers' compensation benefits; to repeal provisions that provide for a reduction or offset of workers' compensation benefits payable to professional athletes.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 1487—**

BY REPRESENTATIVE MCDONALD

AN ACT

To enact R.S. 40:41(J), relative to death certificates; to require the state registrar of vital records to issue a copy of a death certificate to the Office of Student Financial Assistance, and the office of the attorney general, under certain circumstances; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 1493—**

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 32:771(4) and 773.2(B) and to enact R.S. 32:773.2(G) and (H), relative to used motor vehicles and marine product dealers; to define "boat package"; to provide relative to area of responsibility; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1501—**

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:4712.10, relative to naming an administrative building; to authorize the parish governing authority in certain parishes to name an administrative building in honor of a former parish president; to provide limitations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1512—**

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 33:4712.10, relative to naming an entryway or entry plaza to parish administrative buildings; to authorize the parish governing authority in certain parishes to name a common entryway or plaza for parish administrative buildings in honor of a former parish councilman; to provide limitations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1618—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 22:192(A)(4), 1142(A)(7) and (18), 1241(B), 1241.1(C), 1760(A)(3), and 3044(B)(6), relative to licensing requirements; to provide for criminal convictions; to provide for denial, suspension, or revocation of licenses; to provide for certificates of authority; to provide for consultants; to provide for statements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****COMMERCE, CONSUMER PROTECTION AND  
INTERNATIONAL AFFAIRS**



Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 5, 2004

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

**HOUSE BILL NO. 312—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 9:3530(C)(4), relative to the Louisiana Consumer Credit Law; to provide for an alternative documentation fee that a lender may charge in connection with certain non-real estate consumer loans; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 317—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:243(B)(2), relative to immovable property held by state banks; to revise the procedure for appraisal of such property; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 329—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:312(A) and 765(B) and to repeal R.S. 6:325(E) and 768(E), relative to financial institutions; to delete certain obsolete provisions relating to state inheritance taxes; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 401—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 9:3144(A)(3) and (B)(1), relative to the New Home Warranty Act; to reduce the warranty period for certain major structural defects; to clarify the warranty exclusion for trees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1167—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1256(B)(2)(introductory paragraph), (3)(introductory paragraph), and (4), (E), and (G) and 1284(A)(introductory paragraph) and (B) and to repeal R.S. 51:1256(F), relative to the Louisiana Tourism Development Commission and the board of directors of the Louisiana Tourism Promotion District; to provide for appointment and time of service of members; to provide relative to officers; to provide relative to confirmation; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1397—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1257(B) and 1286(C)(3) and to repeal R.S. 51:1260, 1261, and 1271 through 1276, relative to the office of tourism and the Louisiana Tourism Development Commission; to repeal the requirement for submittal of an annual report; to repeal the requirement of formulation of a master plan for tourism development; to repeal the Act 455 Matching Funds Program; and to provide for related matters.

Reported favorably.

Respectfully submitted,

KEN HOLLIS

Chairman

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Cain, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 5, 2004

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

**SENATE BILL NO. 334—**

BY SENATOR HAINKEL

AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health plans to offer mandate-free coverage to individuals and small groups on an optional basis; provides that health plans continue offering coverage that includes all mandates; provides that health plans offering mandate-free coverage disclose benefits not included at the time of application; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 369—**

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 38:2212(K); relative to public works contracts; to require bidders of state contracts to provide employees health benefits; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 398—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:636(A)(introductory paragraph) and (2), relative to cancellation of insurance policies; to define "delivered" for purposes of notice of cancellation; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 423—**

BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 22:1430.14(A), relative to the FAIR and Coastal plans; to provide for audited statements; to provide for reporting requirements; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 517—**

BY REPRESENTATIVE JOHNS  
AN ACT

To enact Subpart B-1 of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1441 through 1441.26, relative to the residual property insurance market; to provide for Louisiana Citizens Property Insurance Corporation; to provide for legislative intent and purpose; to provide for interpretation of laws; to provide for servicing of policies; to provide for the Coastal Plan; to provide for the FAIR Plan; to provide for the governance and administration; and to otherwise provide with respect thereto.

Reported favorably.

**HOUSE BILL NO. 752—**

BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 22:1430.1(12), relative to the Louisiana Citizens Property Insurance Corporations; to provide for farmowners' multiperil insurance; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1051—**

BY REPRESENTATIVE FARRAR  
AN ACT

To amend and reenact R.S. 22:1386(A) and (B), relative to the Louisiana Insurance Guaranty Association; to provide for claims against insurers; to provide for asbestos claims; to provide for environmental pollutant claims; to provide for procedures; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1052—**

BY REPRESENTATIVE FARRAR  
AN ACT

To amend and reenact R.S. 22:1379(3)(f) and 1382(A)(3)(f) and (D), and to repeal R.S. 22:1382(A)(3)(f), relative to the Louisiana Insurance Guaranty Association; to provide for covered claims; to provide for net worth; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JAMES DAVID CAIN  
Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 5, 2004

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**SENATE BILL NO. 189—**

BY SENATOR CHEEK  
AN ACT

To enact R.S. 40:4.12, relative to public health and safety; to provide alternate procedures for identification of potable and nonpotable water distribution equipment, piping, and outlets at certain facilities; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 235—**

BY SENATORS MCPHERSON, HINES, SCHEDLER, BARHAM AND JONES AND REPRESENTATIVES DURAND, THOMPSON AND SALTER  
AN ACT

To amend and reenact R.S. 36:801.1 and to enact R.S. 36:259(J) and Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846, relative to the Louisiana Emergency Response Network (LERN); to provide for statement of purpose; to provide for definitions; to provide for the creation of the Louisiana Emergency Response Network; to provide for the board and its membership, appointments, terms of office, vacancies, meetings, compensation, functions, powers, and duties; to provide for rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 249—**

BY SENATOR BAJOE  
AN ACT

To amend and reenact R.S. 46:1792(A), (B)(1), and (B)(2), relative to subsidy for adopted children; to clarify the requirements of Title IV-E redetermination cases; to bring state law in compliance with the federal Adoptions and Safe Families Act; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 275—**

BY SENATOR NEVERS  
AN ACT

To amend and reenact R.S. 17:1519.3(C), relative to the Louisiana State University Health Sciences Center-New Orleans; to provide with respect to the reduction or elimination of services at any division hospital; to provide for mandatory approval of the Senate and House committees on health and welfare prior to such reduction or elimination; to provide for specific information to be supplied to the committees; to continue to provide for funding from a variety of sources for the hospitals in the division; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 411—**  
BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:1403(A)(2) and 1404, relative to child care facilities and child-placing agencies; to clarify the law regarding mandated licensure of child-placing agencies; to include an adoption agency within the definition of "child-placing agency"; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 645—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:961(7), (8), (9), (10), (13), (14), (15), (20), (21), (24), (27), (32), (34), and (38), to enact R.S. 40:961(39), (40) and (41), and to rename Part X of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, relative to uniform controlled substances law; to provide for changes in definitions to conform with federal law; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 662—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:964(Schedule III)(D)(3) and (4), relative to classification of controlled dangerous substances; to substitute hydrocodone for dihydrocodeinone as a Schedule III controlled dangerous substance; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 821—**  
BY SENATOR BAJOE

AN ACT

To enact R.S. 36:259(II) and 919.7 and Chapter 46-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2616 through 2618, relative to diabetes; to create the Louisiana Diabetes Initiatives Council in the Department of Health and Hospitals; to provide for the membership, powers, and duties of the board; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 863—**  
BY SENATOR JACKSON

AN ACT

To enact Part VIII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:405.5, relative to smoke-free zones; to provide for the establishment of such zones in certain locations; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 865—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to provide for findings; to provide with respect to joint bargaining and contracting, including immunity from certain antitrust provisions; to provide for applicability; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1072—**

BY REPRESENTATIVES MURRAY AND DURAND

AN ACT

To amend and reenact R.S. 46:230.1(A) and (C), 231.14), 231.6(B), 231.7(A)(1)(introductory paragraph), (B)(2)(introductory paragraph) and (3), and (D)(1), and 231.8(B), relative to TANF; to provide for coordination between the Louisiana Workforce Commission and the Department of Social Services; to provide for collaboration in relation to the STEP program; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOE MCPHERSON  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE BILL NO. 60—**  
BY SENATOR FIELDS

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:743 through 749, R.S. 15:1225, and R.S. 36:4(B)(1)(r), relative to wrongfully incarcerated prisoners; to create the Wrongfully Incarcerated Compensation Board; to provide for definitions; to place such board under the administration of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for membership of such board; to prohibit compensation for such members; to require payment of per diem and travel expenses for such members; to provide for eligibility of claimants; to provide relative to form of application; to establish time limits of application; to provide for powers and duties of the board; to authorize the promulgation of rules and regulations by the board; to authorize public hearings for determination of compensation; to authorize payment of compensation upon findings by the board that such payment is justified; to authorize emergency awards at the discretion of the board and under certain circumstances; to limit the amount of such emergency awards; to create the Wrongfully Incarcerated Compensation Fund; to create the crime of fraudulent procurement or counseling fraudulent procurement of compensation from the fund and provide penalties for such crime; to authorize payment of attorney fees; to limit the amount of such fees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 60 by Senator Fields

**AMENDMENT NO. 1**

On page 1, line 10, change "to form of application" to "to the form of the application" and after "limits" delete "of" and insert in lieu thereof "for" and after "provide for" insert "the"

**AMENDMENT NO. 2**

On page 7, line 10, after "rendered" insert "but in no case in a total amount that exceeds that amount awarded to the attorney's client who was wrongfully incarcerated"

On motion of Senator Marionneaux, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 66—  
BY SENATOR FIELDS**

**AN ACT**

To amend and reenact R.S. 15:574.2(B)(1), relative to parole; to require a majority vote of the parole board members constituting a panel to grant parole; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 66 by Senator Fields

**AMENDMENT NO. 1**

On page 1, line 3, after "grant" change "parole" to "certain paroles"

**AMENDMENT NO. 2**

On page 1, line 12, after "(1)" insert "(a)"

**AMENDMENT NO. 3**

On page 1, line 15, after "Three" insert "**Except as provided in Subparagraph (b) of this Paragraph, two**"

**AMENDMENT NO. 4**

On page 1, line 16, delete "**Two**"

**AMENDMENT NO. 5**

On page 2, between lines 1 and 2, insert the following:

**"R.S. 15:574.2(B)(1)(b) is all proposed new law.**

(b) In the case an applicant for parole was convicted of a crime of violence, as defined in R.S. 14:2(13), three votes of a three-member panel shall be required to grant parole, or, if the number exceeds a three member panel, a unanimous vote of those present shall be required to grant parole."

On motion of Senator Marionneaux, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 130—  
BY SENATOR HAINKEL**

**AN ACT**

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to remove the requirement that the sheriff of any parish with a population of between one hundred thousand and one hundred two thousand pay certain premium costs of specified group insurance for certain retired officials and employees; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 130 by Senator Hainkel

**AMENDMENT NO. 1**

On page 1, line 2, change "amend and reenact R.S. 33:1448(G)," to "provide"

**AMENDMENT NO. 2**

On page 1, line 3, after "sheriffs;" delete the remainder of the line and delete lines 3 through 5 in their entirety and insert in lieu thereof "to provide circumstance where certain sheriffs pay certain premium costs of specified group insurance for certain retired officials and employees;"

**AMENDMENT NO. 3**

On page 1, line 6, delete "employees;" and insert in lieu thereof "to provide for an effective date;"

**AMENDMENT NO. 4**

On page 1, delete lines 9 through 17 and, on page 2, delete lines 1 through 14 and insert: "Section 1. The provisions of R.S. 33:1448(G), with regard to the sheriff of a parish with a population of between one hundred thousand and one hundred two thousand according to the latest federal decennial census shall apply only to sheriffs and deputy sheriffs who met the requirements of Act 973 of the 2003 Regular Session of the Legislature on or before August 15, 2003 and who request such coverage on or before July 1, 2005."

On motion of Senator Boissiere, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 164—  
BY SENATOR N. GAUTREAUX**

**AN ACT**

To amend and reenact R.S. 14:91.1(A), relative to sexually violent predators; to provide that sexually violent predators remain at least one thousand feet away from certain locations; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 164 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, between "(A)" and the comma"," insert "and to enact R.S. 15:538(D)"

AMENDMENT NO. 2

On page 1, line 2, between "predators" and the semicolon";" insert "and sexual offenders"

AMENDMENT NO. 3

On page 1, line 3, after "predators" insert "and sexual offenders"

AMENDMENT NO. 4

On page 1, line 4, after "locations;" insert "to provide for certain probation conditions;"

AMENDMENT NO. 5

On page 1, delete lines 9 through 17 and insert three asterisks " \* \* \* "

AMENDMENT NO. 6

On page 2, delete lines 1 and 2

AMENDMENT NO. 7

On page 2, at the beginning of line 3, change "(3)" to "(2)"

AMENDMENT NO. 8

On page 2, at the end of line 4, after "school" insert a comma "," and delete the remainder of the line

AMENDMENT NO. 9

On page 2, line 5, delete "premise where children commonly gather, including"

AMENDMENT NO. 10

On page 2, after line 8, add the following:

"Section 2. R.S. 15:538(D) is hereby enacted to read as follows:

§538. Conditions of probation, parole, and suspension or diminution of sentence

\* \* \*

**R.S. 15:538(D) is all proposed new law.**

D. (1) No sexual offender, whose offense involved a minor child, shall be eligible for probation, parole, or suspension of sentence unless, as a condition thereof, the sexual offender is prohibited from:

(a) Going in, on or within one thousand feet of the school property of any public or private, elementary or secondary school, or the physical presence in any motor vehicle or other means of conveyance owned, leased, or contracted by such school to transport students to or from school or a school-related activity when persons under the age of eighteen years are present on the school property or in a school vehicle.

(b) Going in, on or within one thousand feet of a day care facility, playground, public or private youth center, public swimming pool or free standing video arcade facility.

(c) Physically residing within one thousand feet of any public or private elementary or secondary school, day care facility, playground, public or private youth center, public swimming pool or free standing video arcade facility.

(2)(a) It shall not be a violation of Subsection(D)(1)(a) of this Section if the offender has permission to be present on school premises from the superintendent of the school board in the case of a public school or the principal or headmaster in the case of a private school.

(b) If permission is granted to an offender to be present on public school property by the superintendent for that public school pursuant to this Paragraph, then the superintendent shall notify the principal at least twenty-four hours in advance of the visit by the offender. This notification shall include the nature of the visit and the date and time in which the sex offender will be present in the school. The offender shall notify the office of the principal upon arrival on the school property and upon departing from the school. If the offender is to be present in the vicinity of children, the offender shall remain under the direct supervision of a school official.

(3) For purposes of this Subsection:

(a) "School property" means any property used for school purposes, including but not limited to school buildings, playgrounds, and parking lots.

(b) "Sexual offender" means a person defined as a sex offender in R.S. 15:536(A).

(4) Whoever violates the provisions of this Subsection shall have his probation, parole or suspension of sentence revoked and shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.

(5) Notwithstanding the provisions of this Subsection, a requirement that a defendant not go in, on, or within one thousand feet of certain premises does not apply to a defendant while the defendant is in or going immediately to or from a:

(a) Community supervision and corrections department office;

(b) Premises at which the defendant is participating in a program, activity or work required as a condition of community supervision;

(c) Residential facility in which the defendant is required to reside as a condition of community supervision, if the facility was in operation as a residence for defendants on community supervision on June 1, 2004; or

(d) Private residence at which the defendant is required to reside as a condition of community supervision."

On motion of Senator Chaisson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 166—**

BY SENATORS HAINKEL, ADLEY, BARHAM, ELLINGTON, KOSTELKA, MICHOT, NEVERS, SCHEDLER AND SMITH

**A JOINT RESOLUTION**

Proposing to add Article XII, Section 15 of the Constitution of Louisiana, relative to marriage; to create the Defense of Marriage Act; to provide for the effect of any action creating a same-sex marriage; to prohibit the effect of any right or claim arising from such relationship; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 166 by Senator Hainkel

**AMENDMENT NO. 1**

On page 1, delete lines 3 and 4, and insert "marriage; to require that marriage in the state shall consist only of the union of one man and one woman; to provide that the legal incidents of marriage shall be conferred only upon such union; to prohibit the validation or

recognition of the legal status of any union of unmarried individuals; to prohibit the recognition of a marriage contracted in another jurisdiction which is not the union of one man and one woman;"

**AMENDMENT NO. 2**

On page 1, at the beginning of line 5, delete "arising from such relationship;"

**AMENDMENT NO. 3**

On page 1, delete 13 through 17 and add the following: "Section 15. Marriage in the state of Louisiana shall consist only of the union of one man and one woman. No official or court of the state of Louisiana shall construe this constitution or any state law to require that marriage or the legal incidents thereof be conferred upon any member of a union other than the union of one man and one woman. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized. No official or court of the state of Louisiana shall recognize any marriage contracted in any other jurisdiction which is not the union of one man and one woman."

**AMENDMENT NO. 4**

On page 2, delete lines 1 and 2

**AMENDMENT NO. 5**

On page 2, delete lines 9 through 13 and add the following: "To provide that marriage in the state of Louisiana shall consist of the union of one man and one woman, that the legal incidents of marriage shall not be conferred on a member of any union other than such union; and that the state shall not validate or recognize a legal status identical or substantially similar to that of marriage for unmarried individuals or any marriage contracted in any other jurisdiction which is not the union of one man and one woman."

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 169—**

BY SENATOR IRONS

**AN ACT**

To amend and reenact Children's Code Articles 607(A) and 1016(B), relative to the protection of children; to provide with respect to right to counsel for children in the custody of the state; to provide for qualified counsel in child protection proceedings in accordance with federal Child Abuse Prevention and Treatment Act requirements; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 302—**

BY SENATOR HINES

**AN ACT**

To amend and reenact R.S. 40:1299.39.1 and 1299.47, relative to medical malpractice; to provide for medical review panel reports to be non-reportable; to provide for the filing of a request for a medical review panel to be non-reportable; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 470—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 14:95.1(A), relative to possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 470 by Senator Dardenne

**AMENDMENT NO. 1**

On page 1, line 2, after the word "To" delete "amend and reenact" and insert in its place "enact"

**AMENDMENT NO. 2**

On page 1, line 2, delete "14:95.1(A)" and insert in its place "14:95.9"

**AMENDMENT NO. 3**

On page 1, line 2, after "or" delete the remainder of the line and insert "ammunition;"

**AMENDMENT NO. 4**

On page 1, delete line 3, and insert "to prohibit possession by persons subject to certain court orders; and to provide for"

**AMENDMENT NO. 5**

On page 1, line 6, delete "14:95.1(A)" and insert "14:95.9"

**AMENDMENT NO. 6**

On page 1, line 6, delete "amended and reenacted" and insert "enacted"

**AMENDMENT NO. 7**

On page 1, delete lines 7 and 8 and insert "§ 95.9. Illegal possession of a firearm or ammunition"

**AMENDMENT NO. 8**

On page 1, line 9, after "person" delete the remainder of that line and insert "to possess a firearm or ammunition and"

**AMENDMENT NO. 9**

On page 1, delete lines 10 through 17 in their entirety

**AMENDMENT NO. 10**

On page 2, delete lines 1 and 2

**AMENDMENT NO. 11**

On page 2, delete line 3, and insert "who is subject to a court order that satisfies one of the following situations:"

**AMENDMENT NO. 12**

On page 2, at the beginning of line 4, change "is" to "Is"

AMENDMENT NO. 13

On page 2, at the end of line 5, change the semi-colon ";" to a period "."

AMENDMENT NO. 14

On page 2, line 6, at the beginning of the line change "restrains" to "Restrains"

AMENDMENT NO. 15

On page 2, at the end of line 9, change the semi-colon ";" to a period "."

AMENDMENT NO. 16

On page 2, line 10, at the beginning of the line change "includes" to "Includes" and after "represents" and before "credible" insert "a"

AMENDMENT NO. 17

On page 2, at the beginning of line 12, change "by" to "By"

AMENDMENT NO. 18

On page 2, line 14, after "injury" insert a period "." and delete the remainder of the line

AMENDMENT NO. 19

On page 2, between lines 14 and 15, insert "B. Notwithstanding any other provision of law to the contrary, this Section shall not apply to the possession of any firearm or ammunition issued to an employee of a federal, state, or local law enforcement agency or governmental agency which possession is required as a condition of employment or otherwise possessed or used by the employee while engaged in his official duties or activities."

AMENDMENT NO. 20

On page 2, delete line 15, and insert "C. It is unlawful for any person who has been convicted of a misdemeanor crime of"

AMENDMENT NO. 21

On page 2, line 16, after "violence" delete the comma "," and delete the remainder of the line and insert "to possess a firearm or ammunition."

AMENDMENT NO. 22

On page 2, after line 16, insert the following:

"D. For purposes of Subsection A of this Section, "intimate partner" shall include with respect to the person, a spouse, former spouse, an individual who is a parent of a child of the person, an individual who cohabitates or has cohabited with the person as a spouse although unmarried.

E. For purposes of Subsection B of this Section, the term "misdemeanor crime of domestic violence" means an offense that contains all of the following:

- (1) Is a misdemeanor under federal, state or local law.
- (2) Has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon.
- (3) Is committed by a current or former spouse, parent or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

F. For purposes of this Section, a person shall not be convicted of a misdemeanor crime of domestic violence unless all of the following apply:

(1) The person was represented by counsel in the case or knowingly and intelligently waived the right to counsel in the case.

(2) In the case of a prosecution for an offense described in this Section for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either the case was tried by a jury or the person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise.

G. A person shall not be considered to have been convicted of a misdemeanor crime of domestic violence if the conviction has been expunged or set aside, or is an offense for which the person has been pardoned or has had civil rights restored unless the pardon, expungement, or restoration of civil rights expressly provides that the person may not possess a firearm or ammunition, or if ten years has elapsed from the date of completion of sentence, probation, parole, or suspension of sentence.

H. Whoever is found guilty of violating the provisions of this Section shall be imprisoned with or without hard labor for not less than two nor more than ten years without the benefit of probation, parole, or suspension of sentence and shall be fined not less than one thousand dollars nor more than five thousand dollars, or both."

On motion of Senator Chaisson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 527—**

BY SENATOR JONES

**AN ACT**

To amend and reenact R.S. 15:572.1(A) and (E), relative to Board of Pardons; to provide that all actions of the board shall require the favorable vote of a majority of those board members present; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 527 by Senator Jones

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 527 by Senator Jones

AMENDMENT NO. 1

On page 1, line 4, after "present;" insert "to provide with regard to the qualifications of the board members;"

AMENDMENT NO. 2

On page 1, line 11, change "At least one of" to "At least one of"

AMENDMENT NO. 3

On page 1, line 12, change "the members may be appointed from a list of three names submitted by the" to "the members may be appointed from a list of three names submitted by the"

AMENDMENT NO. 4

On page 1, line 13, change "membership of Victims and Citizens Against Crime, Inc." to "membership of Victims and Citizens Against Crime, Inc. The board shall be representative of the state's population as nearly as practicable."

AMENDMENT NO. 5

On page 2, line 2, after "**present**" and before the period "." insert the following: "**except in the case the applicant for pardon was convicted of a crime of violence, as defined in R.S. 14:2(13), or the crime of vehicular homicide, as defined in R.S. 14:32.1, or the crime of vehicular negligent injuring, as defined in R.S. 14:39.1, or the crime of first degree vehicular negligent injuring, as defined in R.S. 14:39.2 in which case the favorable vote of at least four members of the board shall be required to grant a pardon**"

On motion of Senator Marionneaux, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 539—**

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 46:460.21(A)(3), (4) and (5), (B)(1), the introductory paragraph of (C), (C)(1)(g), and (F), and to enact R.S. 46:460.21(A)(6), (C)(1)(h), and (C)(4), relative to Public Welfare and Assistance; to provide with respect to fees in child protection cases; to provide for an annual reserve for out-of-pocket expenses; to provide a time limit for the submission of payment request forms; to require specific attorney certifications; to provide authorization for suspension of payments not meeting necessary requirements; to require rule-making relative to recommendations of the Task Force on Legal Representation in Child Protection Cases; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 539 by Senator Irons

AMENDMENT NO. 1

On page 1, line 4, after "relative to" change "Public Welfare and Assistance" to "public welfare and assistance"

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 594—**

BY SENATOR BAJOE

AN ACT

To enact Part IX of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.61, relative to post-release facilities; to provide for a pilot program in the Department of Public Safety and Corrections; to provide for the duties of the department; to provide for reports; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 594 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 19, after "shall" delete "establish, no later than February 1, 2005," and insert in lieu thereof "request, no later than February 1, 2005, proposals from non-governmental organizations seeking to provide services as part of"

AMENDMENT NO. 2

On page 2, line 20, after "facilities" delete "designed to" and insert in lieu thereof ",which will"

AMENDMENT NO. 3

On page 2, line 21, after "facilitate the" insert "successful"

AMENDMENT NO. 4

On page 2, at the end of line 23, delete "implement the" and insert in lieu thereof "commence the application process for non-governmental organizations who are qualified to operate a post-release facility designed to assist offenders with reintegration into their communities."

AMENDMENT NO. 5

On page 2, at the beginning of line 24, delete "program"

AMENDMENT NO. 6

On page 2, between lines 26 and 27 insert the following:

"D. Upon review of all applications received, the Department of Public Safety and Corrections shall choose one applicant who will operate a Post-Release Facilities pilot program in an urban area, and one applicant who will operate a Post-Release Facilities pilot program in a rural area.

E. The provisions of this Part shall be effective upon the appropriation of the funds for such purpose."

AMENDMENT NO. 7

On page 2, at the beginning of line 27, change "D." to "F."

On motion of Senator Marionneaux, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 746—**

BY SENATOR N. GAUTREAUX

AN ACT

To enact Code of Civil Procedure Art. 4843(L), relative to the city courts of Abbeville and Kaplan; to increase the civil jurisdiction of the courts; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 778—**

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 11:515(3), 826, and 1303, relative to certain consolidated public retirement systems; to require approval of the annual operating budgets of certain consolidated public retirement systems by the Joint Legislative Committee on the Budget; and to provide for related matters.

Reported with amendments by the Committee on Retirement.



## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 778 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, after "826," insert "1165, 1168," and delete "consolidated"

AMENDMENT NO. 2

On page 1, line 4, delete "consolidated"

AMENDMENT NO. 3

On page 1, line 5, delete the space between "Budget" and the semicolon ";"

AMENDMENT NO. 4

On page 1, line 5, between "Budget ;" and "and to provide" insert "to provide for an effective date;"

AMENDMENT NO. 5

On page 1, line 8, after "826," insert "1165, 1168,"

AMENDMENT NO. 6

On page 2, between lines 10 and 11, insert the following:

"§1165. Rules and regulations, board's power to adopt

Subject to the limitations of this Part, the board of trustees shall, from time to time, establish rules and regulations for the administration of the funds created and for the transaction of its business. **The board shall prepare and submit to the Joint Legislative Committee on the Budget an annual budget for estimated costs of operating the system for each succeeding fiscal year. This budget shall be subject to approval by the Joint Legislative Committee on the Budget.**

\* \* \*

§1168. Joint administration with other systems

The board of trustees shall take such actions as it deems necessary or appropriate to provide for the joint administration of the retirement system and the Teachers' Retirement System of Louisiana and the Louisiana State School Lunch Employees' Retirement System; however, no action shall be taken which would impair the integrity of the board of trustees of each of the systems or the integrity of the funds and investments of each of the systems. The boards may, pursuant to the authority herein, appoint the same secretary-treasurer or secretary-manager, any other provision of law to the contrary notwithstanding. Funds appropriated for the administration of each system shall be used for such purpose and in the category of expenditures appropriated but otherwise may be transferred to accomplish the purposes of this Section, ~~without the necessity of additional approval by the legislature, the Legislative Budget Committee, or its successor, or the division of administration or its commissioner.~~

\* \* \*

On motion of Senator Boissiere, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

## SENATE BILL NO. 792—

BY SENATOR DARDENNE

## AN ACT

To amend and reenact R.S. 11:471(A) and to enact R.S. 11:441(G), relative to Louisiana State Employees' Retirement System; to provide with respect to survivors benefits; to provide with respect to eligibility for retirement for new members; to require new members to have ten years of service at age sixty to be eligible for retirement; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 792 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 11:471(A) and to"

AMENDMENT NO. 2

On page 1, line 3, delete "to provide with respect to survivor benefits;"

AMENDMENT NO. 3

On page 1, line 9, delete "R.S. 11:471(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, delete lines 14 and 15 and insert in lieu thereof:

"G. Notwithstanding any provision of law to the contrary, any person hired after July 1, 2004, who has no prior service or membership in this system, shall only be eligible for retirement if he has ten or more years of service, at age sixty or thereafter.

\* \* \*

AMENDMENT NO. 5

On page 1, delete lines 16 and 17.

AMENDMENT NO. 6

On page 2, delete lines 1 through 8 in their entirety.

On motion of Senator Boissiere, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

## SENATE BILL NO. 805—

BY SENATOR ADLEY

## AN ACT

To enact R.S. 13:3881(A)(6), relative to general exemptions from seizure; to provide that federal earned income tax credit of a debtor shall be exempt from seizure; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 805 by Senator Adley

AMENDMENT NO. 1

On page 1, line 3, after "seizure;" insert "to provide for exceptions;"

AMENDMENT NO. 2

On page 1, line 9, after "whatsoever" insert "except as otherwise herein provided"

AMENDMENT NO. 3

On page 1, line 12, after "credit" and before the period "." insert ", except for seizure by the Department of Revenue"

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 816—**

BY SENATOR DUPLESSIS

**AN ACT**

To enact R.S. 15:574.4(L), relative to parole; to provide relative to educational and skills requirements for parolees prior to release; to provide relative to decisions of the Board of Parole; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. On motion of Senator Marionneaux, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 829—**

BY SENATORS THEUNISSEN AND MOUNT

**AN ACT**

To enact R.S. 11:413(15)(a), (b), and (c), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership in the Louisiana State Employees' Retirement System for any political subdivision created by state law with a parish wide jurisdiction in a parish with a population of not less than one hundred eighty thousand or more than one hundred eighty-five thousand according to the latest federal decennial census; to provide that employees of any political subdivision created by state law with a parish wide jurisdiction in a parish with a population of not less than one hundred eighty thousand or more than one hundred eighty-five thousand according to the latest federal decennial census shall not be eligible to become members of the Louisiana State Employees' Retirement System; to provide with respect to employee and employer contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 829 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 4, change "created by state law" to "whose creation is authorized pursuant to R.S. 33:4710.2(A)(1)"

AMENDMENT NO. 2

On page 2, line 5, change "created by state law" to "whose creation is authorized pursuant to R.S. 33:4710.2(A)(1)"

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**SENATE BILL NO. 835—**

BY SENATOR BOISSIERE

**AN ACT**

To enact R.S. 11:269, relative to state and statewide public retirement or pension systems, funds and plans; to require consultants and money managers to disclose relationships; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Boissiere, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 861—**

BY SENATOR N. GAUTREAUX

**AN ACT**

To amend and reenact R.S. 9:315.40(9) and 315.41(A) and to enact R.S. 9:315.40(4)(d), relative to child support; to provide relative to the suspension of licenses for nonpayment of child support; to provide for definitions; to include licenses for the operation of motorboats, sailboats, and trailers in the definition of licenses; to provide for the suspension of such additional licenses; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE BILL NO. 41—**

BY REPRESENTATIVE DOVE

**AN ACT**

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners; to authorize parish prisoners to participate in work activities in or upon the buildings, other improvements, or property of certain tax-exempt organizations; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 838—**

BY REPRESENTATIVE DAMICO

**AN ACT**

To amend and reenact R.S. 30:2025(E)(1)(a), relative to civil penalties for violations of the Environmental Quality Act; to increase the maximum civil penalty; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1011—**

BY REPRESENTATIVE JOHNS

AN ACT

To repeal Section 2 of Act 1005 of the 2003 Regular Session, relative to the terms of options and rights of first refusal relating to the sale of immovable property; to repeal provisions of Act 1005 of the 2003 Regular Session providing for retroactive application to claims existing or actions pending; to provide for prospective application of Act 1005; to provide for applicability of this Act; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Senator Heitmeier in the Chair**

**Reconsideration**

On motion of Senator Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 4, 2004 was reconsidered.

**SENATE BILL NO. 114—**

BY SENATOR JONES

A JOINT RESOLUTION

Proposing to repeal Article III, Section 4(E) of the Constitution of Louisiana, relative to the terms of office of legislators; to eliminate provisions which limit the number of consecutive terms a member of the Senate may serve in the Senate; to eliminate provisions which limit the number of consecutive terms a member of the House of Representatives may serve in the House of Representatives; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

**Reconsideration**

On motion of Senator Hines, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 4, 2004 was reconsidered.

**SENATE BILL NO. 366—**

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1484.4(C)(4)(a), (b), (c) and (e), relative to air-supported structures; to increase and to impose new fines for violations; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Jones
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux, B	Nevers
Boissiere	Gautreaux, N	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Total—35		

**NAYS**

Total—0

**ABSENT**

Hainkel	Lentini
Kostelka	Malone
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Mr. President in the Chair**

**Special Order of the Day**

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

**SENATE BILL NO. 150—**

BY SENATOR JONES

AN ACT

To enact R.S. 18:1300.24, relative to gaming elections; to authorize the municipality of Richwood in Ouachita Parish to call and conduct a referendum election on a proposition to allow the operation of video draw poker devices in the municipality; to provide for the procedures for the calling and conducting of such election; to provide for the effectiveness of the results of the election; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

**Special Order of the Day**

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

**HOUSE BILL NO. 1276—**

BY REPRESENTATIVES MONTGOMERY, HUNTER, MARTINY,  
AND MURRAY AND SENATORS MOUNT, CRAVINS, JONES,  
LENTINI, AND AMEDEE

**AN ACT**

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1) and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3) and to enact R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to provide for creation of the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1276 by Representative Montgomery

**AMENDMENT NO. 1**

Delete Senate Floor Amendments Nos. 1 through 11 proposed by Senator Cravins and adopted by the Senate on May 3, 2004.

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Cravins moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Boasso

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 24—**

BY SENATOR THEUNISSEN

**AN ACT**

To amend and reenact R.S. 48:1002(A) and (B)(1), relative to the Monkey Island Ferry; to rename the Monkey Island Ferry located in Cameron Parish to the Martin Luther King, Jr. Ferry; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Frith to Engrossed Senate Bill No. 24 by Senator Theunissen (Duplicate of H.B. No. 112)

**AMENDMENT NO. 1**

On page 1, line 3, after "the" and before "Martin" insert "Dr."

**AMENDMENT NO. 2**

On page 1, line 8, after "§1002." insert "Dr."

**AMENDMENT NO. 3**

On page 1, line 11, after "the" insert "Dr."

**AMENDMENT NO. 4**

On page 1, at the beginning of line 15, after "to the" insert "Dr."

**AMENDMENT NO. 5**

On page 2, at the beginning of line 4, insert "Dr."

Senator Theunissen moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Kostelka	
Dupre	Lentini	

Total—37

**NAYS**

Total—0

**ABSENT**

Cheek	Jones
-------	-------

Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 500—**

BY SENATOR LENTINI AND REPRESENTATIVES WALKER AND ANSARDI

**AN ACT**

To amend and reenact Code of Civil Procedure Art. 2411(B), relative to garnishment; to provide relative to required documents for such action; to include a notice of seizure as a required document; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walker to Engrossed Senate Bill No. 500 by Senator Lentini

**AMENDMENT NO. 1**

On page 1, line 4, after "document;" and before "to provide" insert "to provide for time limitations in which to obtain garnishment judgments; to provide for loss of the effect of seizure;"

**AMENDMENT NO. 2**

On page 1, line 10, change "B." to "B.(1)"

**AMENDMENT NO. 3**

On page 1, at the end of line 11, change the period "." to a comma "," and insert "as required by Article 2412(A)(1)."

**AMENDMENT NO. 4**

On page 1, between lines 11 and 12, insert the following:

"(2) For wage garnishments subject to the provisions of R.S. 13:3921 et seq., if the garnishee or judgment debtor files no opposition to the garnishment proceedings, and the garnishee answers the garnishment interrogatories affirmatively as to the employment of the judgment debtor by the garnishee, and the garnisher fails to obtain a garnishment judgment within one hundred eighty days of the filing of the answers to the interrogatories, all effects of the seizure by garnishment shall automatically cease upon the lapse of the one hundred eightieth day, and the garnisher shall be required to re-serve the garnishee pursuant to R.S. 13:3923 and 3924."

Senator Lentini moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Duplessis	Kostelka	

Total—37

**NAYS**

Total—0

**ABSENT**

Jones	Marionneaux
-------	-------------

Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 66—**  
BY SENATOR ELLINGTON

**A CONCURRENT RESOLUTION**

To recognize the Boeuf River Band of Cherokees as an Indian tribe of Louisiana.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Concurrent Resolution No. 66 by Senator Ellington

**AMENDMENT NO. 1**

On page 1, line 7, change "bodies" to "authorities" and delete ", the police juries, in" and insert in lieu thereof "of" and after "Louisiana" insert a comma ",."

On motion of Senator Marionneaux, the committee amendment was adopted. The amended resolution was read by title and ordered engrossed and passed to a third reading.

**Senate Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE BILL NO. 4—**

BY SENATOR MCPHERSON

**AN ACT**

To enact R.S. 38:2225.2, relative to public contracts; to prohibit the state and any state or local entity from using the "design-build" concept unless specifically authorized by law; to prohibit the state and any state or local entity from executing agreements to purchase unimproved property which agreement requires the successful design and construction of a structure prior to transfer of title unless specifically authorized by law; and to provide for related matters.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 4 by Senator McPherson

**AMENDMENT NO. 1**

On page 1, delete lines 12 through 14 and on line 15, delete "any state or local entity" and insert "Neither the state nor any local entity"

**AMENDMENT NO. 2**

On page 1, line 15, after "law," and before "execute" insert "may"

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Irons

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 13—**

BY SENATOR THEUNISSEN

**AN ACT**

To enact Chapter 9 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:1001 through 1004, relative to wireless communication facilities; to provide for notice of the proposed construction of and for the marking of such facilities; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 13 by Senator Theunissen

**AMENDMENT NO. 1**

On page 2, line 3, following "begins," and before "mail" delete "shall"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Theunissen moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

#### NAYS

Total—0

#### ABSENT

Irons

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 45—

BY SENATOR SMITH

#### AN ACT

To enact R.S. 56:409, relative to wildlife and fisheries; to authorize the Saline Lake Game and Fish Preserve Commission, and the Grant Parish Police Jury, under the supervision of the Department of Wildlife and Fisheries, to place triploid grass carp in certain lakes; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler

Cheek  
Cravins  
Dardenne  
Duplessis  
Total—38

Irons  
Jackson  
Jones  
Kostelka

Smith  
Theunissen  
Ullo

#### NAYS

Total—0

#### ABSENT

Hainkel  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 141—

BY SENATOR CAIN

#### AN ACT

To amend and reenact R.S. 33:4574.1(A)(1)(a)(i) and (K), relative to municipalities and parishes; to provide for the allocation of funds derived from existing hotel/motel taxes currently levied by the Calcasieu Parish governing authority and collected from facilities located in Ward 5, 6 or 7 which become operational after July 1, 2004; and to provide for related matters.

On motion of Senator Cain, the bill was read by title and returned to the Calendar, subject to call.

### SENATE BILL NO. 152—

BY SENATOR MARIONNEAUX

#### AN ACT

To amend and reenact the introductory paragraph of R.S. 32:387.7(A), 387.7(A)(3) and (B), and the introductory paragraph of R.S. 32:387.9, 387.9(3) and (5), and to enact R.S. 32:387.7(A)(5) and 387.9(6), relative to special permits; to provide for the issuance of special sugarcane and agronomic or horticultural permits to operators of vehicles; to provide for the specificity of such permits; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen

Duplessis Jones Ullo  
Total—39

NAYS

Total—0

ABSENT

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 194—**

BY SENATOR FONTENOT AND REPRESENTATIVE WHITE  
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Fontenot, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 196—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:387(C)(3)(a)(ii), relative to weight and load of vehicles; to provide relative to special permits for vehicles which transport forestry products; to provide certain exceptions; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Marionneaux  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senator Lentini in the Chair**

**SENATE BILL NO. 220—**

BY SENATORS DARDENNE, ULLO, BARHAM, BOASSO,  
BOISSIERE, CRAVINS, DUPRE, B. GAUTREAU, HAINKEL,  
MCPHERSON, MICHOT, ROMERO AND SCHEDLER  
AN ACT

To enact R.S. 17:24.11, relative to programs of early childhood education; to establish and provide for a program of early childhood education provided by state-approved nonpublic schools at no cost to certain eligible students; to provide for the participation of schools; to provide for the eligibility and selection of students; to provide for administration of the program; to mandate participating schools meet certain requirements; to provide with regard to funding; to provide with regard to compliance; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 220 by Senator Dardenne

**AMENDMENT NO. 1**

On page 9, line 20, following "thousand" and before "five" delete ", "

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Barham	Dupre	Michot
Boasso	Gautreaux, B	Romero
Boissiere	Hainkel	Schedler
Cravins	Irons	Theunissen
Dardenne	Marionneaux	Ullo
Total—15		

NAYS

Mr. President	Fields	Kostelka
Adley	Fontenot	Lentini



Amedee	Gautreaux, N	Malone
Bajoie	Heitmeier	McPherson
Chaisson	Holden	Mount
Cheek	Hollis	Nevers
Duplessis	Jackson	Smith
Ellington	Jones	
Total—23		

ABSENT

Cain  
Total—1

The Chair declared the amended bill failed to pass.

### Notice of Reconsideration

Senator Dardenne, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

#### SENATE BILL NO. 224— BY SENATORS MALONE AND NEVERS AN ACT

To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

On motion of Senator Malone, the bill was read by title and returned to the Calendar, subject to call.

#### SENATE BILL NO. 289— BY SENATORS BOISSIERE, LENTINI AND ULLO, AND REPRESENTATIVES ANSARDI, DAMICO AND LANCASTER AN ACT

To amend and reenact R.S. 38:2212(C)(2)(a), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by certain means; and to provide for related matters.

### Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 289 by Senator Bossiere

#### AMENDMENT NO. 1

On page 1, at the end of line 15 and the beginning of line 16, delete "written notice" and insert "copy" "

#### AMENDMENT NO. 2

On page 2, at the end of line 1, delete "notice"

#### AMENDMENT NO. 3

On page 2, line 5, delete "of written notice"

#### AMENDMENT NO. 4

On page 2, line 8, after "Section." insert the following: "If the addendum cannot be transmitted by facsimile transmission, e-mail or otherwise effected by hand delivery, the public entity shall postpone the bid opening by at least seven days."

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

#### NAYS

Total—0

#### ABSENT

Hainkel  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### SENATE BILL NO. 346— BY SENATORS CHAISSON AND AMEDEE AN ACT

To amend and reenact R.S. 34:2471(A)(1)(d), (3)(d), (6), and (7), 2473(B)(3) and (F), and 2474(B), and to enact R.S. 34:2471(A)(8), 2472(D), 2476.1, 2476.2, and 2476.3, relative to the Port of South Louisiana, to provide for the membership, powers, duties, and functions of the Port of South Louisiana Commission; to provide relative to contracts for professional services; to provide for the authority to issue bonds and levy taxes; to provide for economic and industrial development functions; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 346 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, following "(F)" and before "," insert "(1) and (2)"

AMENDMENT NO. 2

On page 1, line 10, following "(F)" and before "," insert "(1) and (2)"

AMENDMENT NO. 3

On page 4, line 26, following "to" and before "the" insert ","

AMENDMENT NO. 4

On page 5, line 9, following "ideas" and before "from" delete ","

AMENDMENT NO. 5

On page 5, line 26, following "Subsection" and before "of" change "(A)" to "A"

AMENDMENT NO. 6

On page 9, line 28, following "for" and before "hire" insert "-" and between "for" and "profit" insert "-"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Amedee moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bajoie	Hainkel
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 356—**

BY SENATOR CHEEK

**AN ACT**

To amend and reenact R.S. 33:2711.15(A), (C)(1), (C)(2), the introductory paragraph of (C)(3), and (C)(4) and to enact R.S. 33:2711.15(F), relative to local sales and use taxes; to provide for renewal of certain additional sales and use taxes imposed by the city of Shreveport for use by the fire and police departments; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 356 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 17, following "**Subsection**" and before "**of**" change "**(F)**" to "**F**"

AMENDMENT NO. 2

On page 2, line 26, following "not" and before "exceed" delete "to"

AMENDMENT NO. 3

On page 2, lines 9, 17, and 27, following "Subsection" and before "of" change "**(F)**" to "**F**"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Cheek moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

**NAYS**

Total—0

ABSENT

Kostelka

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cheek moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 432—**

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Irons
Adley	Fields	Jackson
Amedee	Fontenot	Jones
Bajoie	Gautreaux, B	Lentini
Barham	Gautreaux, N	Marionneaux
Cravins	Heitmeier	
Duplessis	Holden	
Total—19		

**NAYS**

Boasso	Kostelka	Schedler
Cain	Malone	Smith
Dardenne	Michot	Theunissen
Ellington	Mount	Ullo
Hainkel	Nevers	
Hollis	Romero	
Total—16		

ABSENT

Boissiere	Cheek
Chaisson	McPherson
Total—4	

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

Senator Jones, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

**Senator Bajoie in the Chair****SENATE BILL NO. 494—**

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 56:302(A)(3) and 320(A)(1) and (C)(1), relative to methods of taking saltwater fish; to authorize the use of multi-pronged barbed gigs for taking flounder in salt water; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Lentini	
Total—37		

**NAYS**

Total—0

ABSENT

Hainkel	Kostelka
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 576—**

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 33:2561.1, relative to municipal and parish fire and police civil service; to provide for awarding attorney fees in civil service board appeals by municipal fire and police classified civil service employees regarding disciplinary actions in certain circumstances; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 576 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 17, after "appeal" insert " , subject to appropriation by the local governing authority for such purpose"

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Marionneaux moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Mr. President	Hainkel
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 641—**

BY SENATORS MALONE AND NEVERS  
AN ACT

To enact R.S. 17:1682(H) and 1682.2, relative to scholarships for disabled firefighters and their spouses; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 641 by Senator Malone

AMENDMENT NO. 1

On page 1, between lines 15 and 16 insert " \* \* \* "

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Malone moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Mr. President	Hainkel
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 739—**

BY SENATOR FIELDS  
AN ACT

To amend and reenact R.S. 27:93(A)(1) and R.S. 46:4, and to enact R.S. 27:93(A)(9), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to admission fees for riverboats in East Baton Rouge Parish; to provide for allocation of funds derived from additional riverboat boarding fees; and to provide for related matters.

On motion of Senator Fields, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 749—**

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 47:302.5, relative to sales tax proceeds; to provide for the distribution of certain state tax proceeds in Vernon Parish; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Hollis
Hainkel	Kostelka
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 756—**

BY SENATOR JONES

**AN ACT**

To enact R.S. 46:1053(C)(2)(e), relative to the Madison Parish Hospital Service District; to authorize per diem for the members of the board of commissioners; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux

Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Ellington	Hainkel
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 757—**

BY SENATOR JONES

**AN ACT**

To enact R.S. 33:2862.1, relative to adjudicated property in the city of Monroe; to provide with respect to the procedure for taking possession of adjudicated property; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Mr. President	Kostelka
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 758—**  
BY SENATOR JONES

**AN ACT**

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

**NAYS**

Barham	Kostelka
Total—2	

**ABSENT**

Mr. President	Boasso	Cain
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 761—**  
BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact Subsection M(1) of Section 2.1 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act 562 of the 2003 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to require the board of commissioners of St. Tammany Parish Hospital Service District No. 2 to appoint an advisory committee; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 772—**  
BY SENATOR MALONE

**AN ACT**

To enact R.S. 17:85.6, relative to naming an auditorium; to authorize the parish school board in certain parishes to name an auditorium in honor of a former educator and principal; to provide limitations; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Malone sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Malone to Engrossed Senate Bill No. 772 by Senator Malone

**AMENDMENT NO. 1**

On page 2, line 4, change "Northeastern" to "Northwestern"

On motion of Senator Malone, the amendments were adopted.

The bill was read by title. Senator Malone moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—38

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 789—**  
BY SENATOR MALONE

**AN ACT**

To amend and reenact R.S. 30:148.2(A)(2), relative to lease and storage of natural gas, oil, and liquid hydrocarbons in reservoirs and salt dome caverns; to define "reservoir"; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Ellington  
Total—37

Lentini

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—2

Boasso

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 794—**  
BY SENATOR MICHOT

**AN ACT**

To enact R.S. 33:2711(A)(1)(c), relative to tax authorization within municipalities with voter approval; to provide with respect to certain limitations imposed on parishes and parish school boards; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Jones
Amedee	Ellington	Malone
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boissiere	Gautreaux, B	Mount
Cain	Gautreaux, N	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo

Total—33

**NAYS**

Total—0

**ABSENT**

Mr. President  
Boasso  
Total—6

Hainkel  
Kostelka

Lentini  
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 800—**  
BY SENATOR MOUNT

**AN ACT**

To amend and reenact R.S. 37:2175.2(C) and to enact R.S. 37:2171.2 relative to contractors; to provide for requirements for issuance of local building permits; to provide for additional requirements for home improvement contractors; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Mr. President	Boasso
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 801—**  
BY SENATOR ROMERO

**AN ACT**

To amend and reenact R.S. 47:337.3 and to enact R.S. 33:2737.77, relative to authorizing political subdivision sales and use tax; to authorize such political subdivisions, with voter approval, to renew or continue any such tax; to provide for the purposes for which such tax proceeds may be used; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Amedee	Gautreaux, B	Marionneaux
Bajoie	Hainkel	Michot
Boissiere	Holden	Mount
Cravins	Hollis	Nevers
Duplessis	Irons	Romero
Dupre	Jackson	Theunissen
Fields	Jones	
Fontenot	Malone	
Total—22		

**NAYS**

Adley	Heitmeier	Smith
Barham	Kostelka	Ullo
Cain	Lentini	
Dardenne	McPherson	
Total—10		

**ABSENT**

Mr. President	Cheek	Schedler
Boasso	Ellington	
Chaisson	Gautreaux, N	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 864—**  
BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 33:3815.2(E), relative to powers of waterworks districts; to provide relative to a waterworks district of one parish supplying water to or taking water from an adjoining parish; to provide certain terms, procedures, and conditions; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith



Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Mr. President

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Rules Suspended

Senator Malone asked for and obtained a suspension of the rules for the purpose of taking up at this time.

### Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

### Called from the Calendar

Senator Malone asked that Senate Bill No. 224 be called from the Calendar at this time for its final passage.

#### SENATE BILL NO. 224—

BY SENATORS MALONE AND NEVERS  
AN ACT

To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers

Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Mr. President

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Senate Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### SENATE BILL NO. 101—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:352(C), and to enact R.S. 13:352(D), relative to expenses of judges of courts of appeal; to eliminate provisions which authorize the use of the balance of filing fees in the courts of appeal to be used for reimbursement of expenses; to authorize an unvouchered expense allowance from such funds; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and returned to the Calendar, subject to call.

#### SENATE BILL NO. 121—

BY SENATORS JONES AND MCPHERSON

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

### Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 121 by Senator Jones

#### AMENDMENT NO. 1

On page 1, at the end of line 11, add the following: "The clerk of court of each parish shall transmit to the ~~Department of Elections and Registration~~ elections division of the Department of State the

names, addresses, and social security numbers of all persons who served as commissioners-in-charge on election day in that parish no later than seven days after the election. Any commissioner-in-charge who has served at a polling place on an election day shall be compensated within thirty-seven days after the election."

**AMENDMENT NO. 2**

On page 2, at the end of line 3, add the following: "The clerk of court of each parish shall transmit to the ~~Department of Elections and Registration~~ **elections division of the Department of State** the names, addresses, and social security numbers of all persons who served as commissioners on election day in that parish no later than seven days after the election. Any commissioner who has served at a polling place on an election day shall be compensated within thirty-seven days after the election."

On motion of Senator Jones, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Ullo sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ullo to Reengrossed Senate Bill No. 121 by Senator Jones

**AMENDMENT NO. 1**

On page 1, line 10, after "receive" change "one" to "**two**" and on line 11, delete "**seventy-five**"

**AMENDMENT NO. 2**

On page 1, line 11, after "serves." delete the remainder of the line and delete lines 12 through 16.

**AMENDMENT NO. 3**

On page 2, line 7, change "**twenty-five**" to "**and fifty**"

**AMENDMENT NO. 4**

On page 2, line 9, after "dollars." delete the remainder of the line and delete lines 10 through 13.

Senator Ullo moved adoption of the amendments.

Senator Hainkel objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Boasso	Fontenot	McPherson
Boissiere	Gautreaux, B	Michot
Cain	Gautreaux, N	Mount

Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Lentini	Ullo
Total—33		

**NAYS**

Barham	Hainkel
Total—2	

**ABSENT**

Mr. President	Heitmeier
Bajoie	Kostelka
Total—4	

The Chair declared the amendments were adopted.

The bill was read by title. Senator Jones moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

**NAYS**

Barham	
Total—1	

**ABSENT**

Mr. President	Heitmeier
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 468—**  
BY SENATOR FONTENOT

**AN ACT**

To enact Part II of Chapter 21 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2551 and 2552, relative to environmental quality; to provide for the Brownfields Cleanup Revolving Loan Fund; to provide for purpose; to

provide for capitalization; to provide for uses; to provide for authority to make loans, grants, and incur debt; to provide for the administration of the fund; to provide for bonds, notes, or other evidence of indebtedness; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

#### NAYS

Total—0

#### ABSENT

Bajoie  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 561— BY SENATORS FONTENOT AND MCPHERSON AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), and to enact R.S. 18:425.2 and 426.1, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for the compensation of such commissioners; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the compensation of such commissioners; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 561 by Senator Fontenot

#### AMENDMENT NO. 1

On page 2, line 17, following "**provided**" delete "**for**"

On motion of Senator Lentini, the amendments were adopted.

### Mr. President in the Chair

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

#### NAYS

Hainkel  
Total—1

#### ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 830— BY SENATORS MOUNT AND JACKSON AN ACT

To amend and reenact R.S. 40:384(1) and to enact R.S. 40:382(16), 384(29), (30), (31) and (32), and 490(D), relative to housing; to provide for findings and purposes; to provide for definitions; to provide with respect to mixed finance projects; to provide for exemptions; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and returned to the Calendar, subject to call.

**Rules Suspended**

Senator Nevers asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Introduction of Senate Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 57—**  
BY SENATOR DARDENNE

**A RESOLUTION**

To designate May, 2004 as Amyotrophic Lateral Sclerosis (ALS) Awareness Month.

On motion of Senator Dardenne, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 58—**  
BY SENATOR FIELDS

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Ivy Mae Smith Beauregard.

On motion of Senator Fields, the resolution was read by title and adopted.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

May 5, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 811—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 32:1510(A)(3), relative to hazardous materials transportation; to exempt oil transporters from reporting certain incidents to the office of state police; and to provide for related matters.

**HOUSE BILL NO. 1540—**

BY REPRESENTATIVES KENNEY AND THOMPSON  
AN ACT

To name the new Ouachita River bridge at Columbia the Governor John J. McKeithen Bridge; and to provide for related matters.

**HOUSE BILL NO. 1576—**

BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact Code of Civil Procedure Articles 2951(A)(1) and 2953, to enact Code of Civil Procedure Article 2951(C) and (D), and to repeal Code of Civil Procedure Article 2953 as amended by Act No. 560 of the 1972 Regular Session, relative to successions; to provide relative to the submission of evidence that no inheritance taxes are due; to repeal duplicate article; and to provide for related matters.

**HOUSE BILL NO. 1697 (Substitute for House Bill No. 153 by  
Representative Fauchaux)—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

**HOUSE BILL NO. 1698 (Substitute for House Bill No. 847 by  
Representative Hunter)—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3), and (7), relative to the Second Injury Fund; to revise reimbursement provisions; to provide for prescriptive periods; to revise reserves on approved claims; and to provide for related matters.

**HOUSE BILL NO. 580—**

BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 46:2525.1, relative to violence against women; to create the Louisiana Task Force on Violent Crime Against Women; to provide for the membership and the duties of that task force; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 580—**

BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 46:2525.1, relative to violence against women; to create the Louisiana Task Force on Violent Crime Against Women; to

provide for the membership and the duties of that task force; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 811—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 32:1510(A)(3), relative to hazardous materials transportation; to exempt oil transporters from reporting certain incidents to the office of state police; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1540—**

BY REPRESENTATIVES KENNEY AND THOMPSON

AN ACT

To name the new Ouachita River bridge at Columbia the Governor John J. McKeithen Bridge; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1576—**

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact Code of Civil Procedure Articles 2951(A)(1) and 2953, to enact Code of Civil Procedure Article 2951(C) and (D), and to repeal Code of Civil Procedure Article 2953 as amended by Act No. 560 of the 1972 Regular Session, relative to successions; to provide relative to the submission of evidence that no inheritance taxes are due; to repeal duplicate article; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1697 (Substitute for House Bill No. 153 by Representative Faucheux)**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1698 (Substitute for House Bill No. 847 by Representative Hunter)—**

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3), and (7), relative to the Second Injury Fund; to revise reimbursement provisions; to provide for prescriptive periods; to revise reserves on approved claims; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

May 5, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 161—**

BY REPRESENTATIVES WADDELL AND M. POWELL, BRUNEAU, BRUCE, BURRELL, MONTGOMERY, AND JANE SMITH

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of former state representative Benjamin Franklin O'Neal, Jr.

**HOUSE CONCURRENT RESOLUTION NO. 162—**

BY REPRESENTATIVE GLOVER

**A CONCURRENT RESOLUTION**

To commend Mr. and Mrs. Galvin Wayne Cary, Sr. for more than fifty years of marriage and the example their lives have provided to their family and community.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 161—**

BY REPRESENTATIVES WADDELL AND M. POWELL, BRUNEAU, BRUCE, BURRELL, MONTGOMERY, AND JANE SMITH

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of former state representative Benjamin Franklin O'Neal, Jr.

The resolution was read by title. Senator Cheek moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Fields	Jones	McPherson
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 162—**

BY REPRESENTATIVE GLOVER

**A CONCURRENT RESOLUTION**

To commend Mr. and Mrs. Galvin Wayne Cary, Sr. for more than fifty years of marriage and the example their lives have provided to their family and community.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Fields	Jones
Hainkel	McPherson
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 5, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 6—**

BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To recreate the Task Force on Regional and Local Economic Development to review industry attraction, expansion, and retention initiatives at the local and regional levels and to determine appropriate funding levels and revenue sources.

Reported with amendments.

**SENATE BILL NO. 11—**

BY SENATOR THEUNISSEN

**AN ACT**

To enact Chapter 19 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:971 through 974, relative to the Louisiana Commission on Civic Education; to establish the commission; to provide for membership; to provide for purposes of the commission; to provide for funding; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 231—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 18:551(A), to enact Part IV of Chapter 3 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:195.1 through 195.3, and to enact R.S. 36:744(X), relative to constitutional amendment proposal propositions; to create and provide for the Constitutional Amendment Ballot Proposal Commission; to provide for the powers and duties of the commission; to provide for the preparation and use of certain election ballots; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 469—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 18:467, to provide relative to qualifying for primary elections; to increase the time period from qualifying to election; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 636—**

BY SENATOR MCPHERSON

AN ACT

To repeal R.S. 42:1123(19), relative to the Code of Governmental Ethics, to repeal the exception to allow commission members from obtaining oyster leases while serving on the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 658—**

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 39:12(C), relative to the commissioner of administration; to require the commissioner of administration to adopt certain rules and regulations; to prohibit any agency from selling certain personal information; to provide for exceptions; to provide for notice; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 730—**

BY SENATOR DUPRE

AN ACT

To enact R.S. 17:3390(F), relative to private nonprofit corporations which support public higher education institutions; to provide relative to records of certain payments by such organizations to employees of postsecondary institutions or employees or officers of certain boards; to provide for the application of public records laws; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 795—**

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 42:1111(A)(3), relative to the Code of Governmental Ethics; to provide an exception to the prohibition on the receipt of payment for governmental services by a public servant from a nongovernmental source; to provide relative to the requirements of such exception; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 802—**

BY SENATORS MOUNT AND THEUNISSEN AND REPRESENTATIVES FLAVIN, GEYMAN, E. GUILLORY, JOHNS AND MORRISH

AN ACT

To amend and reenact R.S. 27:96(A), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to prohibited acts and gaming offenses on riverboats; to provide that an elected public official can engage in business activities with a riverboat gaming licensee as a non-key gaming employee under certain circumstances; to provide for notification requirements; to provide for the adoption of rules; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 530—**

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND SALTER

AN ACT

To amend and reenact R.S. 18:1505.2(A), relative to the Campaign Finance Disclosure Act; to provide for penalties for violations of provisions of the Campaign Finance Disclosure Act that prohibit contributions in the name of another; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1126—**

BY REPRESENTATIVES MURRAY, BROOME, HAMMETT, LANCASTER, AND SALTER

AN ACT

To amend and reenact R.S. 18:1501.1, relative to forty-eight hour requirements for reporting independent expenditures prior to an election; to require certain persons who make independent expenditures or accept contributions other than to or from a candidate or a political committee to report such contributions or expenditures to the supervisory committee; to provide for the time and manner of such reports; to provide for the amounts of the contributions or expenditures which require such reporting; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1246—**

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, BALDONE, K. CARTER, DOWNS, ERDEY, FAUCHEUX, FLAVIN, GALLOT, HAMMETT, LANCASTER, PITRE, GARY SMITH, JACK SMITH, STRAIN, THOMPSON, TOWNSEND, AND WALSWORTH

AN ACT

To amend and reenact R.S. 42:1132(D), 1134(N), and 1157(A)(1) and (3) and to enact R.S. 24:55(G) and Part IV of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:71 through 78, relative to the regulation of lobbying; to provide for the regulation of lobbying in state government; to provide for the reporting of certain expenditures by principals and employers of lobbyists; to provide for lobbying of the executive branch; to provide for definitions; to provide for registration, reporting, and disclosure; to provide for administration and enforcement; to provide for penalties; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 733 from the Committee on Health and Welfare.

**SENATE BILL NO. 733—**

BY SENATOR ADLEY (By Request)

AN ACT

To enact R.S. 40:2200 and to rename Part XIII of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, relative to annual public finances disclosure by hospitals; to provide for

mandatory annual public reporting of finances; to provide for definitions; to provide for specific data to be included in report; to provide for civil penalties for failure to file such a report; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and withdrawn from the files of the Senate.

### **Rules Suspended**

Senator Mount asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 22 from the Committee on Senate and Governmental Affairs.

#### **SENATE BILL NO. 22— BY SENATOR MOUNT**

##### **AN ACT**

To amend and reenact R.S. 43:144, relative to publication of public meetings; to authorize official proceedings to be published within ten days from approval; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and withdrawn from the files of the Senate.

### **Motion to Recommit**

Senator Jones asked for and obtained a suspension of the rules and recommitted Senate Bill No. 785 from the Committee on Education to the Committee on Local and Municipal Affairs.

### **Message from the House**

#### **SIGNED HOUSE BILLS AND JOINT RESOLUTIONS**

May 5, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

#### **HOUSE BILL NO. 367— BY REPRESENTATIVE THOMPSON AN ACT**

To amend and reenact R.S. 3:556.3(B)(4) and (E) and to repeal R.S. 3:556.3(B)(5), relative to the Louisiana Crawfish Promotion and Research Board; to provide for changes in membership of the board; to provide relative to vacancies; and to provide for related matters.

#### **HOUSE BILL NO. 1276— BY REPRESENTATIVES MONTGOMERY, HUNTER, MARTINY, AND MURRAY AND SENATORS MOUNT, CRAVINS, JONES, LENTINI, AND AMEDEE**

##### **AN ACT**

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1) and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1)

and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3) and to enact R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to provide for creation of the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

### **Privilege Report of the Committee on Senate and Governmental Affairs**

#### **ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 5, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

#### **SENATE CONCURRENT RESOLUTION NO. 75—**

BY SENATORS N. GAUTREAUX, AMEDEE, BOASSO, CHAISSON, DUPRE, B. GAUTREAUX, HAINKEL, MCPHERSON, MOUNT, ROMERO, SCHEDLER, THEUNISSEN, MALONE AND MICHOT AND REPRESENTATIVE FRITH

##### **A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to authorize and fund the establishment of the Coastal Forest Reserve Program, and to urge the United States Department of Agriculture Forest Service, the Louisiana Department of Agriculture and Forestry, and the Louisiana State University School of Renewable Natural Resources, with the assistance from the University of Louisiana at Lafayette and other Louisiana universities, to provide an inventory and assessment of coastal forests.



**SENATE CONCURRENT RESOLUTION NO. 94—**

BY SENATORS DARDENNE, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAINE, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To commend and congratulate Sue Gunter on her career and to acknowledge the high standard of performance she inspired and the high level of integrity and ethical conduct she required for the LSU Women's Basketball Team and all those associated with the program.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 5, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bill has been properly enrolled:

**SENATE BILL NO. 276 (Duplicate of House Bill No. 51)—  
BY SENATOR ADLEY AND REPRESENTATIVE MONTGOMERY  
AN ACT**

To enact R.S. 33:1994(F), relative to minimum wages and maximum hours of firemen; to provide that the city of Bossier City may establish a work shift cycle in excess of forty-two hours weekly for operators of fire alarm systems; to provide for overtime hours and pay for such operators; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bill was signed by the President of the Senate.

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Thursday, May 6, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, May 6, 2004.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk

